

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

JUDGE COAR MAGISTRATE JUDGE KEYS

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JUDGE COAR
MAGISTRATE JUDGE KEYS

PRELIMINARY STATEMENT

JURISDICTION AND VENUE

PARTIES

4. At all relevant times herein, Defendant, Redline Recovery Services, LLC, (“Defendant”) acted as a debt collector within the meaning of 15 U.S.C. § 1692a(6) in that it held itself out to be a company collecting a debt allegedly owed to Bank of America.

5. Defendant is a corporation that has its principal place of business and its offices located in the State of New York.

ALLEGATIONS
COUNT I
VIOLATIONS OF THE FDCPA v. REDLINE RECOVERY SERVICES, LLC

6. In July of 2007, Plaintiff settled a debt with Bank of America.

7. Shortly thereafter, Plaintiff received settlement papers confirming his settlement and Defendant began repeatedly contacting Plaintiff to collect on the same alleged debt.

8. Initially Plaintiff explained that he already paid the debt and had paperwork to prove payment. Despite knowledge of payment, Defendant continued to place calls to Plaintiff on his cellular phone.

9. Defendant contacted Plaintiff at his place of employment and spoke with Plaintiff's administrative assistant.

10. Defendant has also contacted Plaintiff's mother and other relatives of Plaintiff's and stated that Plaintiff wrote a bad check to the previous debt collector.

11. Plaintiff has faxed three Cease and Desist letters to Defendant. However Defendant has continued the repeated and harassing telephone calls to Plaintiff, his relatives and his co-workers.

12. In its attempts to collect the aforementioned debt, the Defendant violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 in one or more of the following ways:

- a. Communicated with any person other than the consumer and stated that the consumer owes any debt in violation of 15 U.S.C. § 1692b(2);
- b. Communicated with any person other than the consumer on more than one occasion in violation of 15 U.S.C. § 1692b(3);

c. Communicated with the consumer at the consumer's place of employment if the debt collector knows or has reason to know that the consumer's employer prohibits the consumer from receiving such communication in violation of 15 U.S.C. § 1692c(a)(3);

d. Communicated with any person other than the consumer, his attorney, a consumer reporting agency, the creditor, the attorney of the creditor, or the attorney of the debt collector in violation of 15 U.S.C. § 1692c(b); and

e. Caused a telephone to ring or engaged any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number in violation of 15 U.S.C. § 1692d(5).

13. As a result of Defendant's violations as aforesaid, Plaintiff suffered and continues to suffer personal humiliation, embarrassment, mental anguish and emotional distress.

WHEREFORE, Plaintiff, JOHN BULLOCK, by and through his attorneys, respectfully prays for judgment as follows:

- a. All actual compensatory damages suffered;
- b. Statutory damages of \$1,000.00 for Plaintiff;
- c. Plaintiff's attorneys' fees and costs;
- d. Any other relief deemed appropriate by this Honorable Court.

*****PLAINTIFF REQUESTS A TRIAL BY JURY *****

Respectfully Submitted,
JOHN BULLOCK

By: s/Larry P. Smith
Attorney for Plaintiff

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